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Case No. 91-1527

IN THE SUPREME COURT OF THE UNITED STATES

October, 1991 Term

THE OHIO PUBLIC EMPLOYEES
DEFERRED COMPENSATION PROGRAM
Petitioner

v.

MARVIN A. SICHERMAN, TRUSTEE
Respondent

PETITION FOR A WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT

PETITIONER'S SUPPLEMENTAL BRIEF

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Counsel of Record for Petitioner

PETITIONER'S SUPPLEMENTAL BRIEF

Pursuant to S.Ct. R. 15.7, Petitioner, The Ohio Public Employees Deferred Compensation Program, submits that the issues raised for determination in these proceedings are substantially the same as those raised in *Patterson v. Shumate*, 943 F.2d 362 (4th Cir. 1991), *cert. granted*, 60 U.S.L.W. 3498 (January 21, 1992), which is set for oral argument before this Court on April 20, 1992.

Respectfully submitted,

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APPENDIX

PATTERSON, JOHN R., TRUSTEE, PETITIONER v. SHUMATE, JR., JOSEPH B. No. 91-913, SUPREME COURT OF THE UNITED STATES, 112 S. Ct. 932; 1992 U.S. LEXIS 387; 117 L. Ed. 2d 104; 60 U.S.L.W. 3498, January 21, 1992, Decided. PRIOR HISTORY: ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT. JUDGES: Rehnquist, White, Blackmun, Stevens, O'Connor, Scalia, Kennedy, Souter, Thomas. OPINION: The motion of respondent for leave to proceed in forma pauperis is granted. The petition for a writ of certiorari is granted.